

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 11-20129

SCOTT WILLIAM SUTHERLAND et al.

Defendants.

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 11-20066

JEFF GARVIN SMITH et al.,

Defendants.

ORDER RESERVING DECISION ON MOTIONS FOR JUDGMENT OF ACQUITTAL

Subsequent to the close of all the evidence, Defendants Patrick Michael McKeoun, Scott William Sutherland, David Randy Drozdowski, Jeff Garvin Smith, Paul Anthony Darrah, and Vincent John Witort filed motions for judgment of acquittal pursuant to Federal Rules of Criminal Procedure Rule 29(a). (Dkt. ## 1160, 1163, 1165, 1182, 1188, 1204, 1206.) Rule 29(b) grants courts the authority to reserve decision on motions for a judgment of acquittal until either “before the jury returns a

verdict or after it returns a verdict of guilt or is discharged without having returned a verdict.” Fed. R. Crim. P. 29(b).¹ Pursuant to Rule 29(b),

IT IS ORDERED that the court reserves decision on the motions for judgment of acquittal (Dkt. ## 1160, 1163, 1165, 1182, 1188, 1204, 1206).

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: January 18, 2015

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, January 18, 2015, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

¹ Rule 29(b) provides in full:

The court may reserve decision on the motion, proceed with the trial (where the motion is made before the close of all the evidence), submit the case to the jury, and decide the motion either before the jury returns a verdict or after it returns a verdict of guilty or is discharged without having returned a verdict. If the court reserves decision, it must decide the motion on the basis of the evidence at the time the ruling was reserved.

Fed. R. Crim. P. 29(b).